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PATENTS

Attorney Docket Number 18286.123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Turski *et al.*	Art Unit:	1646
Serial No.:	09/746,662	Examiner:	D. Jiang
Filing Date:	December 22, 2000		
Title:	**Treatment of Demyelinating Disorders**		

Commissioner for Patents
Washington, DC 20231

CERTIFICATION UNDER 37 CFR § 1.8(a)

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5/20/02
Date of Signature and
of Mail Deposit

Sharon R. Matthews
Sharon R. Matthews

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

Applicants hereby respond to the Restriction Requirement dated March 19, 2002, which detailed a two-way Restriction Requirement under 35 U.S.C. § 121. This response is timely filed on Monday, May 20, 2002, with a one-month extension of time. The Examiner grouped the claims as follows (Office Action, page 2):

Group I	Claims 1, 2, 4-6, 8-10, 12, 14, and 18-20, drawn to a pharmaceutical composition comprising an inhibitor of the interaction of glutamate with the AMPA receptor complex.
Group II	Claims 1, 3-5, 7-9, 11, 13-14, and 18-20, drawn to a pharmaceutical composition comprising an inhibitor of the interaction of glutamate with the kainate receptor complex.

Applicants respectfully traverse this Restriction. As explained at pages 1-2 of the Specification, the AMPA and kainate receptors are merely different types of receptors within the larger group of ionontropic glutamate receptors, a distinct entity in themselves. Indeed, the lack of any specific kainate receptor antagonists indicates that there is no pharmacologically separate status between AMPA and kainate receptors, and renders *in vivo* discrimination between the two receptor types impossible. Thus, the subject matter of Groups I and II is so closely related that a search of one Group inevitably will reveal art relevant to the other. Applicants submit, therefore, that simultaneous search and examination would not be unduly burdensome. Accordingly, withdrawal of the Restriction Requirement is respectfully requested and believed to be in order.

Nevertheless, in the event that the Examiner disagrees with the traversal and does not withdraw the Restriction, and in order to be in full compliance with the Restriction, Applicants elect to pursue Group I, claims 1, 2, 4-6, 8-10, 12, 14, and 18-20, with traverse.

The Examiner also has required that Applicants elect a single species of compound listed in claims 8 and 9 for prosecution (Office Action, page 2). In response, Applicants provisionally elect amino- or desamino-2, 3-benzodiazepine. Claims 1-11, 14, and 18-20 read on the elected species.

The Examiner further required that Applicants elect for prosecution a single species of the second agent used in combination with the inhibitor, as listed in claims 14 and 19 (Office Action, page 3). In response, Applicants provisionally elect an interferon. Claims 1-14 and 18-20 read on the elected species.

Further and favorable consideration of all the claims of record on the merits is respectfully requested.

Applicants hereby petition for a one month extension of time pursuant to 37 C.F.R. § 1.136 to respond to the Office Action mailed on March 19, 2002. Please deduct the $110.00 fee

for this purpose from our Deposit Account No. 08-0219. No other fees are believed to be due in connection with this correspondence. However, please charge any payments due or credit any overpayments to our Deposit Account No. 08-0219.

Respectfully submitted,

Hollie L. Baker

Hollie L. Baker
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May 20, 2002

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